

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

)	
IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL NO. 1456
LITIGATION)	Civil Action No. 01-12257-PBS
)	
)	Hon. Patti B. Saris
THIS DOCUMENT RELATES TO THE)	
AMENDED MASTER CONSOLIDATED)	Chief Mag. Judge Marianne B. Bowler
CLASS ACTION)	
)	

**DECLARATION OF AIMEE E. BIERMAN IN SUPPORT OF
TRACK TWO DEFENDANTS' NOTICE OF SUPPLEMENTAL
EVIDENCE RELEVANT TO CLASS CERTIFICATION**

I am an associate in the law firm of Kirkpatrick & Lockhart Nicholson Graham LLP, representing Defendant Aventis Pharmaceuticals Inc. I offer this declaration in support of the Track Two Defendants' Notice of Supplemental Evidence Relevant to Class Certification.

Attached hereto are true and correct copies of the following documents:

1. Attached hereto as Exhibit A is an October 26, 2005 memorandum from Renée Markus Hodin to Alex Sugerman-Brozan, et al. (AWP-PAL 00074-97).
2. Attached hereto as Exhibit B are an August 29, 2005 email from Renée Markus Hodin to Alex Sugerman-Brozan, et al. (AWP-PAL 00002-03) and an August 30, 2005 email from Shirlee Zane to Renée Markus Hodin (AWP-PAL 00030-31).
3. Attached hereto as Exhibit C are an August 29, 2005 email from Renée Markus Hodin to Steve Berman et al. (AWP-PAL 00098); an August 29, 2005 email from Thomas Sobol to Renée Markus Hodin et al. (AWP-PAL 00158-59); and PAL Large Team Meeting Minutes dated September 14, 2005 (AWP-PAL 00106-07).
4. Attached hereto as Exhibit D is a September 6, 2005 email from Renée Markus Hodin to Steve Berman et al. (AWP-PAL 00447-48).
5. Attached hereto as Exhibit E are an August 31, 2005 email from Steve Berman to Renée Markus Hodin (AWP-PAL 00233) and a September 1, 2005 email from Renée Markus Hodin to Robert Haegele (AWP-PAL 00375-76).

6. Attached hereto as Exhibit F is an October 17, 2005 email from Stephen Rosenfeld to Alex Sugerman-Brozan et al. (AWP-PAL 00990-92).
7. Attached hereto as Exhibit G is an October 25, 2005 email from Renée Markus Hodin to Thomas Sobol et al. (AWP-PAL 01175).
8. Attached hereto as Exhibit H is an October 18, 2005 email from Alex Sugerman-Brozan to Renée Markus Hodin et al. (AWP-PAL 01269-72).
9. Attached hereto as Exhibit I is a PAL Large Team Meeting Minutes dated October 26, 2005. (AWP-PAL 00116-18).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 6, 2006

/s/ Aimée E. Bierman
Aimée E. Bierman

CERTIFICATE OF SERVICE

I, Michael DeMarco, hereby certify that on September 6, 2006, I caused a true and correct copy of the foregoing Declaration of Aimée E. Bierman in Support of Track 2 Defendants' Notice of Supplemental Evidence Relevant to Class Certification to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Michael DeMarco
Michael DeMarco